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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554  
FCC 94-289

In the Matter of )  
Amendment of Parts 73 and 74 of )  
the Commission's Rules to permit )  
unattended operation of broadcast )  
stations and to update broadcast )  
station transmitter control and )  
monitoring requirements. )

MM Docket NO. 94-130

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Comments of Thomas C. Smith

I wish to comment on the proposed rules concerning unattended operation of broadcast stations and the waiving of requirement of having a licensed operator on duty and in charge of a transmitter during all periods of transmitter operation. I will make my comments brief and address mainly my concerns about the proposed rules.

I have been a broadcast technician for twenty-five years and have both operated and maintained broadcast equipment including transmission systems. In those years I have seen many changes in the day to day operation of broadcast stations. During that time the FCC has changed the requirements from taking meter readings of transmitters from one every half hour to every three hours and then to as often as necessary. We also have gone from remote controls with analog metering that needed daily calibration to remote controls with digital sampling and computer logic. During this time the FCC has also eased operator licensing requirements and quit testing for an operators knowledge of FCC rules and technical ability. Because of these past changes I feel that many of the proposed rules are relevant and can be made. I do have reservations about a couple of the proposed changes that I will comment also.

First, I believe that it is possible to operate a broadcast transmitter in an unattended mode with today's digital sampling circuits and computer technology. A transmitter's technical operation can be continuously measured and adjusted more accurately than even the best operator could. The control of AM and AM directional stations should not be a

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serious problem, only a little more complex with more interfacing required to take the needed measurements and operate more control functions. The monitoring tower lights should not be difficult, some form of alerting system should be required in any monitoring system for unattended operation. Also the new EAS rules remove the last technical hurdle for unattended operation. With the old EBS system it was possible to create a system to automate the rebroadcast an EBS alert, but there was no method to return to local programming at the end of the alert. With the new system there is an end of message signal so the decoder will be able to switch back to regular programming. One manufacturer has already proposed internal logging in it's EAS decoder which covers the second hurdle to unattended operation that was not available with EBS. And since most operators are hired for other reasons, mainly their program production ability such as on air talent for radio or programming support in television, most transmitters are not watched as carefully as the commission would wish they were. In the case of dial-up remotes or ATS systems, the operators are not thinking about the transmitter except at sign on or sign off or when it triggers an alarm. Also, for most duty operators, their job of the monitoring a transmitter is more clerical then technical with their duties mainly consisting of making minor adjustments and filling out logs. If anything more serious occurs someone with more technical knowledge is called.

For the above reasons I have to agree with most of the proposed rules concerning the approval of unattended operation and the waiving of licensing requirements for duty operators. But I still have reservations about a couple of the proposed rules.

The first rule I have problems with is 73.1300 pertaining to the notification to the FCC that a station will be commencing unattended operation. I would like to see the FCC require that the letter of notification contains a brief description of the automated monitoring system. I believe that this would help the FCC detect stations that would operate unattended without installing the proper equipment to meet the requirements for automated operation. Some stations with financial problems may avoid installing the

proper equipment to save money and go unattended anyway as they try to contain costs. They also may be the stations that could cause the most interference due to the condition of their transmitting plants.

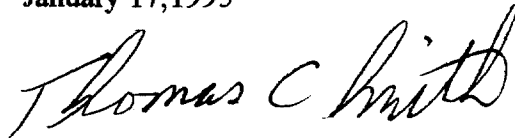
The second rule I have problems with is 73.1350 and 73.1870 pertaining to chief operators. In the text of the public notice or in the proposed rules themselves, it is not mentioned if a permit is required for a chief operator or anyone else then intains a transmitter and calibrates transmission monitoring equipment. The only mention of special requirements for chief operators is that they should be technically competent persons. As this position requires a greater knowledge of and responsibility for FCC rules than for someone who operates a transmitter as a duty operator, I believe the FCC still should maintain the requirement that these persons hold a FCC permit. Chief operators have kept many stations operating within the rules not because the station owners wished to, but instead to avoid sanctions against their own licenses or permits. Also, when the FCC had the 3 classes of radiotelephone licenses, the rules allowed for differences in license requirements for duty operators versus transmitter maintenance personal for radio stations. To maintain a transmitter a First Class license was required, but to operate a Third Class restricted license was all that was needed. Because of this, a precedence for allowing different license requirements for different transmitter operations has already been set.

If the FCC eliminates the requirement for a FCC license or permit, the states or local governments may require licensing of persons who service high power electronics such as transmitters and that would be very burdensome to both stations and maintenance people particularly to contract technicians who service stations in many localities. Some contract broadcast technicians have had problems in the past with engineering licensing boards in some states because of the overlap of some services that both licensed professional engineers and they provide. Possibly the FCC should reserve the right to license persons involved in the maintenance of FCC licensed facilities.

Finally I would like to suggest that the rules for unattended operation take effect on at the same date as the new EAS rules. As no one has automated the current EBS system and since there is no incentive with the short time till the EAS rules take effect, unattended operation is not practical. Since it will take sometime to finish this rulemaking, the effective dates for both rule changes should be quite close and it seems to make sense to make them concurrent. It would also give time to manufactures to develop or modify equipment to meet the new rules.

Respectfully Submitted

January 17, 1995

A handwritten signature in cursive script that reads "Thomas C. Smith". The signature is written in dark ink and is positioned above the printed name.

Thomas C. Smith

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